

REMARKS

By the foregoing amendment, applicant has corrected the incorrect claim dependency of previous claim 7, and has further amended the claims to more particularly point out and distinctly claim the subject matter that applicant regards as his invention. Support for such amendments can be found in the original disclosure, for example, for the wood-base reversible molding at page 5 lines 12-13, and for the wall based, shoe, or quarter round moldings in the paragraph bridging the middle of page 4 to the top of page 5. Similar support for the amendment in independent claim 20 can be found in the same portions of the specification as originally filed. Accordingly, none of the foregoing amendments raise the issue of new matter.

The previous rejection of claim 7 under 35 U.S.C. 112 second paragraph is deemed moot in view of the amendment of claim 7 to depend from claim 4.

Reconsideration withdrawal of the previous rejection of claims 2, 4, 5, 7, 10-13, 25 and 31 under 35 U.S.C. 103 (a) as being unpatentable over Pamplin (U.S. Patent Publication 2004/0060251), in view of Kornfalt et al. (U.S. Patent 6,517,935) is respectfully requested. Neither Pamplin nor Kornfalt et al concern or relate to the subject matter of the instantly claimed invention.

The instantly claimed invention, as exemplified by independent claim 4, is to a wood-based reversible molding comprising a wood-based core, the core being shaped as a wall base molding, a shoe molding, or a quarter round molding. Such shaped core has a plurality of decorative faces affixed to said shaped core wherein at least two of the faces differ in at least one property as identified in independent claim 4. Neither Pamplin nor Kornfalt satisfy these requirements.

Although the Office Action states that Pamplin discloses a "reversible molding (26) comprising a core (fig.3)..." Pamplin is directed to a decorative board or assembly for a wall/ceiling use, wherein a patterned wallpaper 27 or fabric is applied to a face 28 of a

mounting strip 26 to produce a pattern strip 34 (fig.3), and page 2 paragraph [0032]. Such a structure has nothing to do with wood-based reversible wall base moldings, shoe moldings, or quarter round moldings as instantly claimed. Moreover, there is no wood-base core in the shape of a wall base molding, shoe molding, or quarter round molding in the disclosure of Pamplin.

Although the secondary reference Kornfalt et al is stated to show “a molding with décor paper having a overlay of a-cellulose (sic-alpha cellulose) in order to protect the molding from abrasion”, modifying the wall paper of Pamplin to include an overly of alpha-cellulose, still will not lead one to the claimed invention.

Although the Examiner has further alleged (with regard to claim 7) that “each of said faces is in the shape of wall base molding (paragraph 27)” paragraph 27 of Pamplin contains no teaching of a wall base molding.

Accordingly, while the Examiner attributes many of the claimed features to the teachings of Pamplin and or Kornfalt et al, it can be seen from the independent review of these documents that the combination of these two references does not teach the claimed invention. For all of the foregoing reasons, withdrawal of the rejection is respectfully requested.

Reconsideration of the previous rejection of claim 3 under 35 U.S.C. 103 (a) as being unpatentable over Pamplin in view of Kornfalt et al as applied to claim 4 above and further in view of Lamont et al (U.S. Patent 5, 711, 123) is respectfully requested. Although it is alleged that “Pamplin in view of Kornfalt discloses the invention as claimed as noted above, except for each decorative face comprising a curved surface”, such is not true. Neither Pamplin nor Kornfalt et al alone or in any possible combination, teaches or suggests the claimed invention.

Merely because a decorative face comprises a curved surface, such as allegedly taught for example in Lamont et al , such does not make obvious the specifically claimed molding

having a structure as instantly claimed in independent claim 4, which are part of the limitations of claim 3 by operation of statute (35 U.S.C. 112, fourth paragraph). Accordingly, withdrawal of the rejection is respectfully requested.

The alternative rejection of claims 4, 8, and 30 under 35 U.S.C. 103 (a) as being unpatentable over Sumner (GB 2, 141, 457 A) in view of Pamplin and Kornfalt et al also does not establish a prima facie case of obviousness for the claimed invention. Sumner is no more applicable as a primary reference than the aforementioned Pamplin, insofar as it is not directed to a wood-based reversible molding, comprising a wood-based core shaped as a wall base molding, a shoe molding, or a quarter round molding, wherein such shaped core has a plurality of decorative faces affixed to said shaped core, wherein at least two of the faces differ in at least one property (as recited).

Rather, Sumner is only directed to a skirting board (11) abutted by a floor covering (13) in combination with a strip (12) which is of a width substantially less than the height of the skirting board (11). When redecorating the skirting board (11), the latter need only be painted (or otherwise treated) down to the level of the strip (12) as this strip now serves to define the lower visible boundary of the skirting board (11). There is no reversibility in Sumner, his "reversible molding" (12) is neither wood-based, nor shaped as a wall base molding, a shoe molding, or a quarter round molding.

The Examiner concedes that "while Sumner does not specifically disclose that the plurality of decorative faces are affixed to a core and differ by texture, design, pattern or color, and independently comprise foil, laminate, veneer, paint, stain or clear protective material... "it is none the less merely alleged that "it is notoriously well known in the art that a molding can comprise a core with multiple faces that can have a plurality of decorative faces..."

In effect, the Examiner fails to locate any prior art reference to teach the claimed invention, and merely alleges that all the claimed attributes of the claimed invention are “notoriously well known in the art” without citing any reference to teach the same.

As noted above, the citation of Pamplin does not disclose a wood-based reversible molding comprising a wood-based core with the core being shaped as a wall base molding, a shoe molding, or a quarter round molding, as required by independent claim 4. Thus, the proposed combination of references still leaves wanting the claimed features of the invention which applicants respectfully dispute are “not notoriously well known”. Withdrawal of the rejection is respectfully requested.

Reconsideration and withdrawal of the rejection of claims 20, 27, and 33 under 35 U.S.C. 103 (a) as being unpatenable over Pamplin is respectfully requested.

Initially, applicants note that the Examiner cannot allege that “Pamplin discloses a method of inherently reducing molding inventories...” when in fact Pamplin does not teach any of the limitations of claim 20. For example, claim 20 is directed to a method of reducing molding inventories comprising offering a wall base, shoe or quarter round molding to a purchaser of wall base, shoe or quarter round molding inventories...”. As such is not even contemplated by Pamplin, there is simply no question that Pamplin does not expressly, nor “inherently”, reduce the inventories for such moldings. Withdrawal of the rejection is therefore respectfully requested.

Reconsideration and withdrawal of the previous rejection of claims 14-16, 20-24, 26, 28 and 32 under 35 U.S.C. 103 (a) as being unpatentable over Ford (GB 2,096,665 A) in view of Pamplin is respectfully requested. On its face, Ford is directed to “cove tiles” and not wall base, shoe, or quarter round moldings, as instantly claimed.

Furthermore, the claimed invention is directed to wood-based reversible moldings comprising a wood-based core, the core being shaped as a wall base molding, a shoe molding, or a quarter round molding. None of these limitations are found in the Ford

disclosure. At best, the Examiner has merely found a cove tile with a plurality of faces, but there is no other relationship of the reference to the claimed invention.

The Examiner concedes that "Ford does not disclose that the faces are affixed to the core and also differ in at least one additional properties...". Again the Examiner resorts to the "notoriously well known in the art" allegation without citing a single reference to establish such teachings are indeed known in the prior art. The combination of Ford and Pamplin still does not correct the foregoing deficiencies of Ford because, as noted above, Pamplin also does not disclose a wood-based core shaped as a wall base molding, a shoe molding, or a quarter round molding, and thus the proposed combination of Ford with its conceded deficiencies and Pamplin cannot establish a prima facie case of obviousness for the claimed invention. Lastly, regarding independent method claim 20, the Examiner again resorts to the "inherent reduction of molding inventory when discussing Ford, but Ford does not contain, either expressly or inherently any method of offering a wall base, shoe, or quarter round molding to a purchaser of wall base, shoe, or quarter round molding inventories as instantly claimed in the method claim 20. For all the foregoing reasons, withdrawal of all rejections and passage of the application to issue are respectfully requested.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 14-1437, under Order No. 8688.024.US0000.

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Respectfully submitted,



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